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SENATE BILL 6139

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State of Washington

60th Legislature

2007 Regular Session

By Senators Benton and Stevens

Read first time 02/28/2007. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to salmon guides; amending RCW 77.65.010,  
2 77.65.150, and 77.65.370; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.65.010 and 2005 c 20 s 1 are each amended to read  
5 as follows:

6 (1) Except as otherwise provided by this title, a person may not  
7 engage in any of the following activities without a license or permit  
8 issued by the director:

9 (a) Commercially fish for or take food fish or shellfish;

10 (b) Deliver from a commercial fishing vessel food fish or shellfish  
11 taken for commercial purposes in offshore waters. As used in this  
12 subsection, "deliver" means arrival at a place or port, and includes  
13 arrivals from offshore waters to waters within the state and arrivals  
14 from state or offshore waters;

15 (c) Operate a charter boat or commercial fishing vessel engaged in  
16 a fishery;

17 (d) Engage in processing or wholesaling food fish or shellfish; or

18 (e) Act as a guide for salmon for personal use in freshwater rivers

1 and streams, other than that part of the Columbia river below the  
2 bridge at ((Longview)) Astoria.

3 (2) No person may engage in the activities described in subsection  
4 (1) of this section unless the licenses or permits required by this  
5 title are in the person's possession, and the person is the named  
6 license holder or an alternate operator designated on the license and  
7 the person's license is not suspended.

8 (3) A valid Oregon license that is equivalent to a license under  
9 this title is valid in the concurrent waters of the Columbia river if  
10 the state of Oregon recognizes as valid the equivalent Washington  
11 license. The director may identify by rule what Oregon licenses are  
12 equivalent.

13 (4) No license or permit is required for the production or  
14 harvesting of private sector cultured aquatic products as defined in  
15 RCW 15.85.020 or for the delivery, processing, or wholesaling of such  
16 aquatic products. However, if a means of identifying such products is  
17 required by rules adopted under RCW 15.85.060, the exemption from  
18 licensing or permit requirements established by this subsection applies  
19 only if the aquatic products are identified in conformance with those  
20 rules.

21 **Sec. 2.** RCW 77.65.150 and 2006 c 186 s 1 are each amended to read  
22 as follows:

23 (1) The director shall issue the charter licenses and angler  
24 permits listed in this section according to the requirements of this  
25 title. The licenses and permits and their annual fees and surcharges  
26 are:

	License or Permit	Annual Fee		Governing
		(RCW 77.95.090 Surcharge)		Section
		Resident	Nonresident	
30	(a) Nonsalmon charter	\$225	\$375	
31	(b) Salmon charter	\$380	\$685	RCW 77.70.050
32		(plus \$100)	(plus \$100)	
33	(c) Salmon angler	\$ 0	\$ 0	RCW 77.70.060
34	(d) Salmon roe	\$ 95	\$ 95	RCW 77.65.350

35 (2) A salmon charter license designating a vessel is required to  
36 operate a charter boat from which persons may, for a fee, fish for

1 salmon, other food fish, and shellfish. The director may issue a  
2 salmon charter license only to a person who meets the qualifications of  
3 RCW 77.70.050.

4 (3) A nonsalmon charter license designating a vessel is required to  
5 operate a charter boat from which persons may, for a fee, fish for food  
6 fish other than salmon and shellfish.

7 (4)(a) "Charter boat" means a vessel from which persons may, for a  
8 fee, fish for food fish or shellfish for personal use in those state  
9 waters set forth in (b) of this subsection. "Charter boat" also means  
10 a vessel from which persons may, for a fee, fish for food fish or  
11 shellfish for personal use in offshore waters or in the waters of other  
12 states. The director may specify by rule when a vessel is a "charter  
13 boat" within this definition.

14 (b) A person may not operate a vessel from which persons may, for  
15 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
16 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
17 river below the bridge at (~~Longview~~) Astoria unless the vessel is  
18 designated on a charter boat license.

19 (5) A charter boat licensed in Oregon may fish without a Washington  
20 charter license under the same rules as Washington charter boat  
21 operators in ocean waters within the jurisdiction of Washington state  
22 from the southern border of the state of Washington to Leadbetter  
23 Point, as long as the Oregon vessel does not take on or discharge  
24 passengers for any purpose from any Washington port, the Washington  
25 shore, or a dock, landing, or other point in Washington. The  
26 provisions of this subsection shall be in effect as long as the state  
27 of Oregon has reciprocal laws and regulations.

28 (6) A salmon charter license under subsection (1)(b) of this  
29 section may be renewed if the license holder notifies the department by  
30 May 1st of that year that he or she will not participate in the fishery  
31 during that calendar year. The license holder must pay the one  
32 hundred-dollar enhancement surcharge, plus a fifteen-dollar handling  
33 charge, in order to be considered a valid renewal and eligible to renew  
34 the license the following year.

35 **Sec. 3.** RCW 77.65.370 and 1998 c 190 s 98 are each amended to read  
36 as follows:

37 (1) A person shall not offer or perform the services of a

1 professional salmon guide in the taking of salmon for personal use in  
2 freshwater rivers and streams, other than in that part of the Columbia  
3 river below the bridge at ((~~Longview~~)) Astoria, without a professional  
4 salmon guide license.

5 (2) Only an individual at least sixteen years of age may hold a  
6 professional salmon guide license. No individual may hold more than  
7 one professional salmon guide license.

8 NEW SECTION. **Sec. 4.** The department of fish and wildlife shall  
9 direct all necessary resources to negotiating a reciprocity agreement  
10 with the state of Oregon regarding the license requirements for salmon  
11 fishing guides downstream of the Longview bridge. The department must  
12 report back to the legislature on the progress of the negotiations by  
13 November 1, 2007.

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